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# ***Public Utilities Commission of the State of California***

## ***Public Agenda 3296***

***Thursday, June 21, 2012 9:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael R. Peevey, President**

**Mark J. Ferron**

**Michel Peter Florio**

**Catherine J.K. Sandoval**

**Timothy Alan Simon**

*For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.*

*Website: <http://www.cpuc.ca.gov>*

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <b><i>Open to the Public</i></b>
Monday, July 09, 2012 (San Francisco)	Thursday, July 12, 2012 (San Francisco)
Monday, July 30, 2012 (San Francisco)	Thursday, August 02, 2012 (San Francisco)
Monday, August 20, 2012 (San Francisco)	Thursday, August 23, 2012 (San Francisco)
Monday, September 10, 2012 (San Francisco)	Thursday, September 13, 2012 (San Francisco)
Monday, September 24, 2012 (San Francisco)	Thursday, September 27, 2012 (San Francisco)

*\*Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

### ***Matters of Public Interest***

***For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.***

For further information contact the Public Advisor  
(415) 703-2074 E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

## PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 10, 21

**Public Comment:**

## Consent Agenda

*Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.*

### Consent Agenda - Orders and Resolutions

<b>Item</b>	<b>Preliminary Categorizations and Hearing Determinations for</b>
<b>1</b>	<b>Recently Filed Formal Applications</b>

[11371]

**Res ALJ 176-3296**

### PROPOSED OUTCOME:

® Ratification of preliminary determination of category for proceedings initiated by application. The Preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

### ESTIMATED COST:

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582667](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582667)

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Consent Agenda - Orders and Resolutions (continued)**Item                      Interim Decision Authorizing Aquifer Storage And Recovery  
2                              Project Phase 2 And Carmel River Mitigation Agreement**

[11252]

**A10-01-012**

In the Matter of the Application of California-American Water Company for an Order Authorizing the Collection and Remittance of the Monterey Peninsula Water Management District User Fee.

**PROPOSED OUTCOME:**

® Approves expedited construction of well ASR-4, and agreement for Carmel River Mitigation.

**ESTIMATED COST:**

® \$6.3 million.

(Comr Peevey - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583694](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583694)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3293, Item 19 5/10/2012 (Staff);

Agenda 3294, Item 5 5/24/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)**Item                      Establishes California Grade Separation Fund Priority List  
3                              For Fiscal Year 2012–2013**

[11306]

**I11-07-022**

Order Instituting Investigation for the purpose of establishing a list for the fiscal years 2012-2013 and 2013-2014 of existing crossings at grade of city streets, county roads or state highways in need of separation, or existing separations in need of alterations or reconstruction in accordance with Section 2452 of the Streets and Highways Code.

**PROPOSED OUTCOME:**

® Establishes the California Grade Separation Fund Priority List for Fiscal Year 2012–2013, as required by Section 2452 of the Streets and Highways Code.

® In accordance with our adopted procedure, Investigation 11-07-022 will remain open until the Commission issues its final decision establishing the Grade Separation Priority List for Fiscal Year 2013–2014.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583266](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583266)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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Consent Agenda - Orders and Resolutions (continued)**Item Dismisses Proceeding with Conditions****4**

[11315]

**I11-06-009**

Order Instituting Investigation on the Commission's Own Motion Into the Planned Purchase and Acquisition by AT&T Inc. of T-Mobile USA, Inc., and its Effect on California Ratepayers and the California Economy.

**PROPOSED OUTCOME:**

- ® Dismisses as moot the Commission's Investigation into the proposed merger of AT&T Wireless and T-Mobile USA.
- ® Imposes conditions on the respondents to preserve the record for future use if appropriate.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Hecht)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583297](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583297)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3295, Item 8 6/7/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Ducor Telephone Company's Application for Rehearing of**  
**5                        09-03-002 for Test Year 2009**

[11318]

**Res T-17312**

**PROPOSED OUTCOME:**

- ® Approval of Communications Division Resolution to address Ducor Telephone Company's Application for Rehearing of 09-03-002.
- ® Increases Ducor's test year 2009 general rate case draw from California High Cost Fund-A by \$5,812 to \$2,520,328.

**ESTIMATED COST:**

- ® Additional \$5,812 annually.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583212](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583212)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Agenda 3295, Item 9 6/7/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)**Item                      Modifies the Public Utilities Code Section 851 Pilot Program  
6                              Established in Resolution ALJ-186**

[11329]

**Res ALJ-268****PROPOSED OUTCOME:**

® Adopts General Order \_\_\_\_\_, which makes the Public Utilities Code Section 851 Pilot Program established in Resolution ALJ-186, as modified by Resolutions ALJ-202 and ALJ-248, permanent and makes minor, technical changes to the Section 851 Pilot Program Regulations for the purposes of clarity and renumbering.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583747](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583747)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Agenda 3295, Item 12 6/7/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)**Item Gill Ranch Storage, LLC's Tariff Deviation****7**

[11330]

**Res G-3471**, Advice Letter 4-G filed on March 12, 2012 - Related matters.**PROPOSED OUTCOME:**

® Approves Gill Ranch Storage, LLC's (GRS) tariff deviation subject to the condition that GRS, its parent company and related entities are prohibited from holding title to the customer's gas and acting as the customer's agent.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583473](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583473)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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**Item California Energy Commission's Fiscal Year 2012-2013****8**

[11332]

**Proposed Program Plan and Funding Request for the  
Natural Gas Public Interest Research Program****Res G-3472****PROPOSED OUTCOME:**

® Approves The California Energy Commission's request pursuant to California Public Utilities Commission Decision 04-08-010.

**ESTIMATED COST:**

® \$24 million for Fiscal Year 2012-2013.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583507](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583507)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Town of Apple Valley's Protest to Golden State Water**  
**9**                        **Company's Advice Letter 1454-WA and Apple Valley Water**  
[11335]                **Company's Advice Letter 168-WA**

**Res W-4921**

**PROPOSED OUTCOME:**

® Affirms the Division of Water and Audits' denial of the Town of Apple Valley's protests of Golden State Water Company's Advice Letter (AL) 1454-WA and Apple Valley Water Company's AL No. 168-WA.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583640](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583640)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item                      The Consumer Protection and Safety Division's Settlement  
10                      Agreement****(Rev.)**

[11340]

**I09-01-018**

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&T California and AT&T Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

**PROPOSED OUTCOME:**

® Approves a settlement agreement between the Commission's Consumer Protection and Safety Division and the following Respondents: AT&T Mobility LLC, Sprint Telephony PCS, L.P., and Cellco Partnership LLP, d/b/a Verizon Wireless. The settlement resolves all issues regarding the Settling Respondents' involvement with the Malibu Canyon Fire in October of 2007.

® Requires the Settling Respondents to pay \$12 million. Of this amount, \$6.9 million will be paid to the State's General Fund and \$5.1 million to the Enhanced Infrastructure and Inspection Fund (EIIF) that will be established pursuant to the settlement agreement. The money paid to the EIIF will be used to strengthen utility poles in Malibu Canyon and to conduct a statistically valid survey of joint-use poles in Southern California Edison Company's (SCE) service territory for compliance with General Order (GO) 95 safety factor requirements.

® The Commission's approval of the Settlement Agreement is subject to the following conditions:

® (1) The Settling Respondents shall: (a) establish a bank account to receive and disburse funds for the EIIF, and (b) deposit \$5.1 million into the EIIF bank account within 45 days from the effective date of today's decision.

® (2) If \$5.1 million is not adequate to accomplish the objectives of the EIIF that are specified in the settlement agreement, the Settling Respondents shall deposit sufficient additional funds into the EIIF to complete these objectives.

® (3) The following activities shall be completed within 18 months: conducting a statistically valid survey of joint-use poles in SCE's service territory for compliance with GO 95 safety factor requirements.

® (4) The following activities shall be completed within 30 months: upgrading the safety factor for utility poles along 3.38 miles of Malibu Canyon Road.

® (5) The EIIF shall only pay for material, labor, and services that are directly related to Items 3 and 4 above. The EIIF shall not pay for internal administrative and overhead costs incurred by the Settling Respondents.

**ESTIMATED COST:**

® There are no costs to customers.

(Comr Simon - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583662](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583662)

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Consent Agenda - Orders and Resolutions (continued)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.*

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06/20/2012 - This revision was not shown on the Agenda mailed to the public.

**Item                      Transactions To Procure Renewable Energy From Mountain  
11                           View Power Partners Facility**

[11343]

**A09-09-015**

In the Matter of the Application of Southern California Edison Company for Approval of Transactions related to a Renewables Portfolio Standard Replacement Agreement with Mountain View Power Partners and the Novation of a DWR Contract with Mountain View Power Partners.

**PROPOSED OUTCOME:**

® Grants the request of Southern California Edison Company (SCE) for approval of a series of transactions related to the renewable energy output of the Mountain View Power Partners, LLP facility during the period of January 1, 2008 through September 30, 2011.

® The energy from these transactions is eligible to be applied to SCE's obligations to meet targets in the renewables portfolio standard program (subject to the energy meeting criteria set by the California Energy Commission) and the payments are recoverable in rates (subject to Commission review of SCE's contract administration.)

® Closes the proceeding.

**ESTIMATED COST:**

® Cost is unknown, but is less than the cost of reasonable benchmarks and comparable alternatives.

(Comr Ferron - ALJ Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583823](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583823)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Extension of Bridge Funding on a Month-to-Month Basis  
12                      from July 1, 2012**

[11355]

**A11-06-016**, A11-06-018, A11-06-019, A11-06-020, A11-06-021, A11-07-015 - Related matters.

In the matter of the Application of PacifiCorp for approval of the 2012-2014 California Alternate Rates for Energy and Energy Savings Assistance Program Programs and Budgets.

**PROPOSED OUTCOME:**

® Adopts extension of bridge funding on a month-to-month basis from July 1, 2012 for Small Multijurisdictional Utilities' Energy Savings Assistance and California Alternate Rates for Energy Programs.

**ESTIMATED COST:**

® Approximately \$1.5 million monthly.

(Comr Simon - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583922](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583922)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)

**Item**                      **Modifications to the California Lifeline Program Rules in**  
**13**                           **Compliance With Federal Communications Commission's**  
[11356]                   **Lifeline and Link Up Reform Order**

**Res T-17366**

**PROPOSED OUTCOME:**

® The California Public Utilities Commission will modify a number of California Lifeline rules and procedures – set forth in General Order 153 to comply with the recently-adopted Federal Communications Commission Lifeline Reform Order.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583840](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583840)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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**Item**                      **Paxio, Inc.'s Reinstatement of a Certificate of Public**  
**14**                           **Convenience and Necessity**

[11357]

**Res T-17367**

**PROPOSED OUTCOME:**

® Reinstates Paxio, Inc.'s Certificate of Public Convenience and Necessity.

® Reissues Utility Identification Number U-6850-C to the company.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583652](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583652)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Modifies Intrastate Access Charges Consistent with Federal  
15                      Communications Commission Actions**

[11358]

**R03-08-018**

Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges.

**PROPOSED OUTCOME:**

® Modifies Decision (D) 06-04-071 and D07-12-020 to implement the Federal Communications Commission's requirement for all Local Exchange Carrier's (incumbent and competitive) to bring default non-access reciprocal compensation rates and intrastate terminating access rates into parity with interstate terminating access rates.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583795](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583795)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Resource Adequacy Program and 2013 Local Capacity  
16                      Requirements**

[11359]

**R11-10-023**

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Annual Local Procurement Obligations.

**PROPOSED OUTCOME:**

- ® Adopts 2013 Local Capacity Requirements.
- ® Modifies the Resource Adequacy Program as to the coincidence adjustment factor, demand response counting issues, and dynamically scheduled resources.
- ® Defers a decision on a flexible capacity approach for local capacity requirements.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583868](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583868)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Pacific Gas and Electric Company's Advice Letter 3744-E for  
17                      Road-Widening Easements With the City of Placerville**

[11360]

**Res E-4506**, Advice Letter 3744-E filed on October 15, 2010 - Related matters.**PROPOSED OUTCOME:**

® Adopts the findings and conclusions in the City of Placerville's Mitigated Negative Declaration pursuant to the California Environmental Quality Act.

® Approves Pacific Gas and Electric Company's Advice Letter 3744-E seeking authority to enter into an agreement concerning a number of easements with the City of Placerville.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582151](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582151)



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Consent Agenda - Orders and Resolutions (continued)**Item                      Point Arena Water Works, Inc. for a General Rate Increase to  
18                      Produce Additional Annual Revenue for Test Year 2011**

[11361]

**Res W-4922**, Advice Letter 64 filed on September 19, 2011 - Related matters.**PROPOSED OUTCOME:**

- ® To file a supplemental advice letter for the revised rate schedule in Appendix B of resolution.
- ® To file a Tier 2 advice letter within 30 days from the effective date of this resolution to collect over a thirty-six month period the under-collected revenues from the interim rate date to the effective date of the new rates.
- ® To file a Tier 2 advice letter within 30 days from the effective date of this Resolution to establish a surcharge to recover the \$38,311 in legal expenses recorded in Memorandum Account Case 08-12-007.

**ESTIMATED COST:**

- ® \$37,414 or 15.86%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583776](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583776)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)

**Item                      Changes to AT&T's Tariff Rule 32 in Compliance With  
19                      Decision 12-02-029**

[11362]

**Res T-17368**

**PROPOSED OUTCOME:**

® Approves AT&T Advice Letter No. 40391.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583380](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583380)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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**Item                      Southern California Edison Company's Fixed Energy Price  
20                      Agreements With Eight Existing Qualifying Facilities**

[11363]

**Res E-4490**, Advice Letter 2696-E filed on February 1, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves a request by Southern California Edison Company (SCE) to enter into fixed energy price agreements (FEPA), which will temporarily amend the energy price terms of existing agreements, with eight existing renewable energy qualifying facilities (QF) and to recover in rates all payments made under such agreements.

**ESTIMATED COST:**

® The costs associated with the eight FEPAs should provide a reduction to payments SCE would otherwise have to make under the eight existing contracts with the same QF counterparties.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583544](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583544)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Case 12-03-015**

**21**

[11365]

**(ECP) C12-03-015**

George Heider & Sons, Inc., dba Canyon City Auto Body vs. City of Azusa, acting through its Department of Public Works.

**PROPOSED OUTCOME:**

- ® Dismisses George Heider & Sons, Inc.'s complaint against the City of Azusa concerning water rates for lack of jurisdiction.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Colbert)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581781](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581781)

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Consent Agenda - Orders and Resolutions (continued)**Item                      Riverview Acres Water Company to Sell and Salyer Mutual  
22                      Water Company to Buy**

[11369]

**Res W-4923**, Advice Letter 12 filed on April 2, 2012 - Related matters.**PROPOSED OUTCOME:**

- ® Grants the sale pursuant to Public Utilities Code Sections 851-854.
- ® After the sale, Walter G. Carpenter, owner of Riverview Acres Water Company (RAWC), is no longer required to provide regulated water service to customers of RAWC.
- ® Prior to finalizing the sale of RAWC to Salyer Mutual Water Company, RAWC shall pay the required Public Utilities Reimbursement Fee, and submit its Annual Fee Statement for the California Public Utilities Commission Reimbursement Account within 30 days from date of this resolution.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583646](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583646)

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Consent Agenda - Orders and Resolutions (continued)**Item                      Order Extending Statutory Deadline****23**

[11374]

**A10-09-018**

Application of California-American Water Company for Authorization to Implement the Carmel River reroute and San Clemente Dam Removal Project and to Recover the Costs Associated with the Project in Rates.

**PROPOSED OUTCOME:**

® Statutory deadline for this proceeding is extended for 60 days until August 23, 2012.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582444](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582444)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      RCLEC, Inc. for a Certificate of Public Convenience and  
24                      Necessity**

[11380]

**A12-04-012**

In the Matter of the Application of RCLEC, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold and Limited Facilities-Based Local Exchange and Interexchange Telecommunications Services within California.

**PROPOSED OUTCOME:**

- ® Grants the unopposed application of RCLEC, Inc. for a Certificate of Public Convenience and Necessity, authorizing the company to provide limited facilities-based and resold local exchange and interexchange services in this state.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Prestidge)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581701](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581701)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Edison Company's Power Purchase  
25                    Agreement With SPS Corcoron West, LLC**

[11381]

**Res E-4509**, Advice Letter (AL) 2582-E-A filed on April 30, 2012 and AL 2582-E filed on May 11, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for a power purchase agreement between Southern California Edison Company and SPS Corcoron West, LLC.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583160](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583160)

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Consent Agenda - Orders and Resolutions (continued)**Item                      City of Anaheim, County of Orange to Construct Three  
26                      Grade-Separated Crossings**

[11382]

**A12-02-006**

Application of the City of Anaheim for an order authorizing the construction of a pedestrian tunnel, pedestrian overcrossing structure and a baggage tunnel for the new Anaheim Regional Transportation Intermodal Center (ARTIC) which is located approximately 1400 ft. east of the existing Anaheim Train Station, located in the City of Anaheim, County of Orange, State of California.

**PROPOSED OUTCOME:**

® Grants authorization to the City of Anaheim to construct a pedestrian-rail under-crossing, a pedestrian-rail over-crossing and a private baggage under-crossing tunnel across the two existing Orange County Transportation Authority railroad tracks at the new Anaheim Regional Transportation Intermodal Center in the City of Anaheim, County of Orange.

® Closes the proceeding.

**ESTIMATED COST:**

® Discretionary project, not within scope of applicant request.

(Exam Hagan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583189](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583189)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Extension of Bridge Funding Month-to-Month Starting July  
27                      1, 2012**

[11383]

**A11-05-017**, A11-05-018, A11-05-019, A11-05-020 - Related matters.

Application of Southern California Edison Company for Approval of its 2012-2014 California Alternate Rates for Energy and Energy Savings Assistance Programs and Budgets.

**PROPOSED OUTCOME:**

® Adopts an extension of bridge funding on a month-to-month basis starting July 1, 2012 for large investor-owned utilities' Energy Savings Assistance and California Alternate Rates for Energy Programs.

**ESTIMATED COST:**

® \$101,704,525 per month.

(Comr Simon - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583882](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583882)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Order Extending Statutory Deadline****28**

[11384]

**A07-04-013**

Application by Sacramento Natural Gas Storage, LLC for a Certificate of Public Convenience and Necessity for Construction and Operation of Natural Gas Storage Facilities and Requests for Related Determinations.

**PROPOSED OUTCOME:**

® Extends statutory deadline until August 23, 2012.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582301](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582301)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Consent Agenda - Orders and Resolutions (continued)

**Item                      Order Extending Statutory Deadline****29**

[11385]

**A09-04-007**, A09-04-009 - Related matters.

Application of Pacific Gas and Electric Company in its 2009 Nuclear Decommissioning Cost Triennial Proceeding.

**PROPOSED OUTCOME:**

® Extends statutory deadline to August 28, 2012.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582507](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582507)*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      New Order Instituting Investigation****30**

[11386]

**I.**\_\_\_\_\_

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas & Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

**PROPOSED OUTCOME:**

® Opens this investigation to obtain information on the recent outages at the San Onofre Nuclear Generating Station Units 2 and 3, and the resulting effect on the provision of electric service at just and reasonable rates.

® We may issue orders based on this investigation to address ratemaking and other matters under our jurisdiction.

**ESTIMATED COST:**

® Unknown.

(Comr Florio)

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Consent Agenda - Orders and Resolutions (continued)**Item                      Pacific Gas and Electric Company to Relocate Aerial Power  
31                      Lines and Replace Four Poles Along Highway 12**

[11388]

**Res E-4495**, Advice Letter (AL) 4029-E and Supplemental AL 4029-E-A filed on May 2, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves Advice Letter 4029-E by allowing Pacific Gas and Electric Company (PG&E) to relocate approximately 1,300 feet of 12 kilovolt aerial power distribution lines and replaces four wood poles along Highway 12 at Madrone Road in Sonoma County.

**ESTIMATED COST:**

® This project costs \$154,652.

® To be funded by the State Highway Operation and Protection Program, under the safety category (Program Code 201.010).

® The construction capital cost of the project is being shared with Sonoma County through a cooperative agreement, with the County sharing roughly 1/3 of the construction capital cost.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583575](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583575)

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Consent Agenda - Orders and Resolutions (continued)**Item                    LHO Santa Cruz One Lessee, Inc. for a Passenger Stage  
32                    Corporation Certificate**

[11390]

**A12-03-011****PROPOSED OUTCOME:**

® Grants the application of LHO Santa Cruz One Lessee, Inc. to operate as an on-call passenger stage corporation between Chaminade Resort & Spa in Santa Cruz and San Jose International, Monterey Regional, and Watsonville Municipal Airports.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Hagan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581895](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581895)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Chang Jie Wu to Acquire Control of Peter Stojka Company,  
33                              Inc**

[11391]

**A12-04-022**

In the Matter of the Application of Chang Jie Wu for authority to control Peter Stojka Company, Inc., dba Peters Airport Shuttle, pursuant to Section 854 of the California Public Utilities Code.

**PROPOSED OUTCOME:**

® Grants the application of Chang Jie Wu to acquire control of Peter Stojka Company, Inc., a passenger stage corporation, through the purchase of all of the outstanding shares of corporate stock from Michael Wu.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Hagan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581385](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581385)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Transfer of the Passenger Stage Corporation Certificate  
34                          Issued to Abdul Karim Sharif**

[11392]

**A12-04-027**

In the Matter of the Application of Abdul Karim Sharif to Sell and Transfer his ownership of Tri City Airport Shuttle to Shingara Singh.

**PROPOSED OUTCOME:**

- ® Grants the application for approval to transfer a passenger stage corporation certificate from Abdul Karim Sharif to Shingara Singh.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Hagan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582523](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582523)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Consent Agenda - Orders and Resolutions (continued)**Item                      Karuk Tribe for a Certificate of Public Convenience and  
35                      Necessity**

[11398]

**A12-02-018**

Application of Karuk Tribe for a Certificate of Public Convenience and Necessity in order to Provide Limited Facilities-Based and Resold Competitive Local Exchange, Access, and Interexchange Service in the State of California.

**PROPOSED OUTCOME:**

- ® Grants Karuk Tribe a Certificate of Public Convenience and Necessity in order to provide resold limited-facilities based local exchange service and non-dominant interexchange service in California.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582326](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582326)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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**Consent Agenda - Intervenor Compensation Orders****Item Compensation to The Utility Reform Network****36**

[11376]

**R09-08-009**

Order Instituting Rulemaking on the Commission's own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California's greenhouse gas emissions reduction goals.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$71,199.87 for substantial contribution to Decisions (D) 10-07-044 and D11-07-029.

**ESTIMATED COST:**

® Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay \$71,199.87, plus interest.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583681](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583681)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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Consent Agenda - Intervenor Compensation Orders (continued)**Item Compensation to Green Power Institute****37**

[11389]

**R09-08-009**

Order Instituting Rulemaking on the Commission's own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California's greenhouse gas emissions reduction goals.

**PROPOSED OUTCOME:**

® Awards Green Power Institute \$43,234.32 for substantial contributions to Decisions (D) 10-07-044 and D11-07-029.

**ESTIMATED COST:**

® Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay \$43,234.32, plus interest.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583666](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583666)

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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## Regular Agenda

### Regular Agenda - Energy Orders

- |                                     |  |
|-------------------------------------|--|
| <b>Item</b><br><b>38</b><br>[11149] | <b>Sacramento Natural Gas Storage, LLC for a Certificate of Public Convenience and Necessity to Construct and Operate a Gas Storage Facility</b> |
|-------------------------------------|--|

**A07-04-013**

Application by Sacramento Natural Gas Storage, LLC, for a Certificate of Public Convenience and Necessity for Construction and Operation of Natural Gas Storage Facilities and Requests for Related Determinations.

**PROPOSED OUTCOME:**

- ® Grants Applicant's request for a certificate of public convenience and necessity (CPCN) to construct and operate the Sacramento Natural Gas Storage Facility (Proposed Project) to provide natural gas storage services at market based rates, and certifies the environmental impact report (EIR) for the Proposed Project.
- ® The EIR identifies significant environmental impacts that can not be mitigated to less than significant levels.
- ® Finds that the Proposed Project's benefits justify its approval despite its unavoidable environmental effects, and conditions the CPCN on the mitigation measures set forth in the EIR and other requirements established pursuant to recently-enacted legislation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$57 million, however, Sacramento Natural Gas Storage, LLC will be an independent storage provider that must bear the entire financial risk of the Proposed Project.
- ® Ratepayers are not at risk if demand for the Proposed Project's gas storage services does not materialize.

(Comr Simon - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583265](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583265)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3292, Item 62 4/19/2012 (Florio);

Agenda 3294, Item 31 5/24/2012 (Pub. Util. Code §311(e));

Agenda 3295, Item 30 6/7/2012 (Simon)

## Regular Agenda - Energy Orders (continued)

**Item           ALTERNATE TO ITEM 11149****38a**

[11150]

**PROPOSED OUTCOME:**

- ® This alternate proposed decision (APD) differs from the proposed decision (PD) in that:
- ® Additional insurance coverage is required. Sacramento Natural Gas Storage (SNGS) must obtain and maintain a general liability insurance policy with a minimum policy limit of \$4.0 million and minimum umbrella coverage of \$100.0 million (the PD requires \$2.0 million/\$50.0 million).
- ® A surety bond is required in the amount of \$30 million.
- ® SNGS must contribute 0.25 percent of the Proposed Project's annual gross revenues (estimated to range from \$25,000 to \$44,000 or more per year) to a community foundation to support community projects and activities that will benefit the entire neighborhood.
- ® SNGS is encouraged to contribute at least 0.1 percent of the Proposed Project's annual gross revenues to local charitable and non profit organizations.
- ® SNGS is encouraged to annually contribute \$50,000/year, or an amount to be agreed upon between SNGS and the City, for the exclusive benefit of Danny Nunn Park facilities and programs, in addition to any dedication of storage lease income the City may make to maintain and improve the Park.
- ® SNGS is encouraged to establish a scholarship fund to award a single four-year engineering scholarship for, at a minimum, \$6000/year to cover the cost of tuition and fees for a student attending the California State University - Sacramento, and a single four-year engineering scholarship for, at a minimum, \$6000/year to cover the cost of tuition and fees for a student attending the University of California, Davis.
- ® SNGS is encouraged to commit itself to diversity, consistent with General Order 156, by actively recruiting minorities, women, and disabled veterans.

**ESTIMATED COST:**

- ® \$57 million, however, SNGS will be an independent storage provider that must bear the entire financial risk of the Proposed Project.
- ® Ratepayers are not at risk if demand for the Proposed Project's gas storage services does not materialize.

(Comr Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583256](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583256)*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

Agenda 3292, Item 62a 4/19/2012 (Florio);

Agenda 3294, Item 31a 5/24/2012 (Pub. Util. Code §311(e));

Agenda 3295, Item 30a 6/7/2012 (Simon)

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Regular Agenda - Energy Orders (continued)**Item           ALTERNATE TO ITEM 11149****38b**

[11308]

**PROPOSED OUTCOME:**

- ® Denies the Applicant's request for a certificate of public convenience and necessity to construct and operate the Sacramento Natural Gas Storage Facility to provide natural gas storage services at market based rates.
- ® Certifies the environmental impact report for the Proposed Project.
- ® Finds that the safety risks outweigh the benefits of the Proposed Project.

**ESTIMATED COST:**

- ® None.

(Comr Florio)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583264](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583264)*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3294, Item 31b 5/24/2012 (Pub. Util. Code §311(e));

Agenda 3295, Item 30b 6/7/2012 (Simon)

## Regular Agenda - Energy Orders (continued)

<b>Item</b> <b>39</b>	<b>Rules of Compliance with New Renewables Portfolio Standard</b>
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[11283]

**R11-05-005**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

**PROPOSED OUTCOME:**

- ® Provides rules for retail sellers to:
- ® Calculate and resolve any net deficits in meeting their renewables portfolio standard (RPS) annual procurement target (APT) obligations in 2010 and earlier years.
- ® Make use of the statutory "safe harbor" created by Senate Bill 2 (1X) to excuse certain prior APT deficits.
- ® Apply procurement from RPS procurement contracts or ownership agreements signed prior to June 1, 2010 to RPS procurement obligations in 2011 and later years.
- ® Carry forward banked procurement from contracts or ownership agreements signed prior to June 1, 2010, subject to certain limitations.
- ® Meet the procurement quantity requirements set in Decision 11-12-020.
- ® Use procurement from contracts of less than 10 years' duration to meet RPS procurement requirements.
- ® Meet the portfolio balance requirements set forth in Pub. Util. Code § 399.16(c).
- ® Apply excess procurement in one compliance period to future compliance periods, subject to certain limitations.
- ® Report annually to the Commission on RPS procurement and compliance.
- ® Report to the Commission within 60 days of the effective date of this decision on any net deficits in meeting APT for 2010 and prior years and on meeting the statutory safe harbor requirements.
- ® Request a reduction of the portfolio balance requirements and/or a waiver of the procurement quantity requirements at the end of a compliance period.
- ® Authorizes the Director of Energy Division to develop any forms and information requirements necessary for retail sellers to submit the reports required by this decision.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583711](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583711)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3294, Item 34 5/24/2012 (Staff);

Agenda 3295, Item 31 6/7/2012 (Florio)

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Regular Agenda - Energy Orders (continued)**Item                      San Diego Gas and Electric Company's Permit to Construct  
40                            the East County Substation Project**

[11334]

**A09-08-003**

In the Matter of the Application of San Diego Gas and Electric Company for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV and New Substations With High Side Voltages Exceeding 50 kV: The East County Substation Project.

**PROPOSED OUTCOME:**

® Grants San Diego Gas & Electric Company a permit to construct the East County Substation Project (ECO Substation), configured as the ECO Substation Alternative Site combined with the ECO Partial Underground 138 Kilovolt Transmission Route Alternative, with mitigation identified in the Mitigation Monitoring, Compliance, and Reporting Program attached to this order.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Ferron - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583621](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583621)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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## Regular Agenda - Energy Orders (continued)

**Item                      New Order Instituting Rulemaking****41**

[11387]

**R.**\_\_\_\_\_

Order Instituting Rulemaking on the Commission's Own Motion to Conduct a Comprehensive Examination of Investor Owned Electric Utilities' Residential Rate Structures, the Transition to Time Varying and Dynamic Rates, and Other Statutory Obligations.

**PROPOSED OUTCOME:**

® Initiates rulemaking to examine current retail electric rate design including the tier structure in effect for residential customers, the state of time variant and dynamic pricing, potential pathways from tiers to variant and dynamic pricing, and preferable retail rate design to be implemented when statutory restrictions are lifted.

**ESTIMATED COST:**

® Unknown at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582447](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582447)

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**Regular Agenda - Energy Resolutions and Written Reports****Item Pacific Gas and Electric Company's Investment and  
42 Contractual Transactions With Nine Solar Companies**

[11228]

**Res G-3461**, Pacific Gas and Electric Company (PG&E) Advice Letter (AL) 3182-G/3789-E filed on January 6, 2011, PG&E AL 3141-G-A/3708-E-A filed on December 17, 2010, and PG&E AL 3170-G-A/3763-E-A filed on December 17, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves, with conditions specified herein, three advice letters which notify us of the creation of new affiliates to Pacific Gas and Electric Company (PG&E), as required by the Affiliate Transaction Rules (the Rules) of the California Public Utilities Commission.
- ® Orders an audit of PG&E's affiliate transactions from June 30, 2009 to June 30, 2011.
- ® Orders PG&E to file Advice Letters implementing changes to the California Solar Initiative Program Handbook as set out herein.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583576](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583576)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Agenda 3293, Item 32 5/10/2012 (Staff);  
Agenda 3294, Item 37 5/24/2012 (Staff);  
Agenda 3295, Item 35 6/7/2012 (Simon)

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**Regular Agenda - Communication Orders****Item                      Revisions to Basic Telephone Service****43**

[10844]

**R09-06-019**

Order Instituting Rulemaking Regarding Revisions to the California High Cost Fund B Program.

**PROPOSED OUTCOME:**

- ® Adopts an updated definition of basic telecommunications service offered by any carriers of last resort.
- ® The revised definition is designed to:
- ® Consolidate and streamline existing listings of service elements.
- ® Apply technology-neutral terminology and definitions.
- ® Avoid degrading standards necessary to meet essential universal service needs.

**ESTIMATED COST:**

- ® No specific cost changes anticipated in basic rates.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580024](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580024)*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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Agenda 3286, Item 52 12/15/2011 (Staff);  
Agenda 3287, Item 62 1/12/2012 (Peevey);  
Agenda 3288, Item 29 2/1/2012 (Peevey);  
Agenda 3290, Item 41 3/8/2012 (Ferron);  
Agenda 3292, Item 68 4/19/2012 (Florio);  
Agenda 3294, Item 38 5/24/2012 (Sandoval)

## Regular Agenda - Water/Sewer Orders

### Item 44 Approval to Implement the Carmel River Reroute and San Clemente Dam Removal Project

[10823]

#### A10-09-018

Application of California-American Water Company for Authorization to Implement the Carmel River reroute and San Clemente Dam Removal Project and to Recover the Costs Associated with the Project in Rates.

#### PROPOSED OUTCOME:

® Approves California-American Water Company's (Cal-Am) request to implement the Carmel River Reroute and San Clemente Dam Removal Project (Project) in partnership with the California State Coastal Conservancy and the National Marine Fisheries Service.

® Authorizes ratepayer recovery of Cal-Am's funding portion of the Project, \$49 million, to be paid through a volumetric surcharge on customers' bills over the next 20 years.

® Opens an adjudicatory phase of this proceeding to consider an order to show cause as to why applicant should not be fined or otherwise sanctioned for a failure to comply with Rule 1.1 of the Commission's Rules of Practice and Procedure, and Sections 2107 and 2108 of the Public Utilities Code.

#### ESTIMATED COST:

® \$49 million.

(Comr Peevey - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583774](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583774)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*This matter may be considered during the Ratesetting Deliberative Meeting.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3286, Item 54 12/15/2011 (Staff);

Agenda 3287, Item 66 1/12/2012 (Ferron);

Agenda 3288, Item 32 2/1/2012 (Ferron);

Agenda 3289, Item 41 2/16/2012 (Sandoval);

Agenda 3292, Item 70 4/19/2012 (Sandoval);

Agenda 3293, Item 33 5/10/2012 (Pub. Util. Code §311(e));

Agenda 3294, Item 39 5/24/2012 (Simon)

## Regular Agenda - Water/Sewer Orders (continued)

**Item           ALTERNATE TO ITEM 10823****44a**

[11298]

**PROPOSED OUTCOME:**

- ® Approves California-American Water Company's (Cal-Am) request to implement the Carmel River Reroute and San Clemente Dam Removal Project (Project) in partnership with the California State Coastal Conservancy and the National Marine Fisheries Service.
- ® Authorizes ratepayer recovery of Cal-Am's historical costs accumulated in its San Clemente Dam Memorandum Account.
- ® Authorizes rate base treatment for San Clemente Dam Removal Project costs.
- ® Finds Cal-Am's pursuit of dam buttressing prudent, reasonable and appropriate to enable it to comply with the California Department of Water Resources Division of Safety and Dams seismic safety requirements while seeking to resolve the issue at least cost to its ratepayers.
- ® Authorizes ratepayer recovery of Cal-Am's funding portion of the Project through a monthly surcharge on customer's bills over the next 20 years.
- ® Finds the San Clemente Dam to be used and useful and an ongoing benefit to ratepayers.
- ® Authorizes Cal-Am to file a Tier 3 Advice Letter to request a change in its \$49 million Project cap should there be a need to change the cap.
- ® Excludes the transfer of a 77.6 acre land parcel being used for utility purposes and not part of the project from being donated to the project or designated open space.
- ® Finds no Rule 1.1 violation and no need to open an adjudicatory phase of this proceeding.
- ® Finds Planning Conservation League Foundation eligible to seek intervenor compensation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$49 million project cost.
- ® \$27 million Historical San Clemente Dam Memorandum Account Balance.
- ® \$76 million in total cost.

(Comr Sandoval)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583727](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583727)*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3293, Item 33a 5/10/2012 (Pub. Util. Code §311(e));

Agenda 3294, Item 39a 5/24/2012 (Simon)

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Regular Agenda - Water/Sewer Orders (continued)

**Item                      Southern California Edison Company's Catalina Water  
45                      Company Seeks to Increase Rates by 80%**

[11279]

**A10-11-009**

Application of Southern California Edison Company for Authority to, Among Other Things, Increase Its Authorized Revenues For Santa Catalina Island Water Operations, And to Reflect That Increase In Rates.

**PROPOSED OUTCOME:**

® Disallows approximately \$1 million of operating expenses; approximately \$8 million in rate base; and by adopting Southern California Edison Company's alternate rate proposal, shifts \$10.7 million of the water company's increased costs as a one-time cost to electric rates.

® The result of our disallowances and adjustments makes no change in the current revenue requirement of \$3.948 million.

® Closes the proceeding.

**ESTIMATED COST:**

® \$10.7 million.

(Comr Peevey - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583845](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583845)

*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3294, Item 41 5/24/2012 (Sandoval)

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**Regular Agenda - Legal Division Matters****Item                      In the Matter of Universal Service Contribution Methodology;  
46                      A National Broadband Plan for Our Future**

[11396]

**WC Docket No. 06-122; GN Docket No. 09-51**

On April 30, 2012, the Federal Communications Commission (FCC) released a Further Notice of Proposed Rulemaking (FNPRM) in In the Matter of Universal Service Contribution Methodology; A National Broadband Plan for Our Future. The FNPRM seeks comment on ways to reform the Universal Service Fund (USF) contribution system in an effort to promote efficiency, fairness, and sustainability. The FNPRM seeks comments on what services and service providers should contribute to the USF, how contributions should be assessed, how the administration of the contribution system can be improved, and whether the method by which providers recover the costs of USF contributions from consumers should be modified.

Comments are due 30 days and reply due 60 days after the date of publication in the Federal Register.  
[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583647](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583647)

**Item                      Federal Communications Commission's Further Notice of  
47                      Proposed Rulemaking In the Matter of Empowering  
[11397]                      Consumers to Prevent and Detect Billing for Unauthorized  
   Charges, Consumer Information and Disclosure,  
   Truth-in-Billing and Billing Format****FCC 12-42, CG Docket No. 11-16; CG Docket No.09-158; CC Docket No. 98-170**

The Federal Communications Commission (FCC) has issued a Further Notice of Proposed Rulemaking in which it seeks additional comment on whether to extend to wireless providers and to Voice-over-Internet Protocol (VoIP) providers the FCC's current rules pertaining to cramming, consumer information and disclosure, and truth-in-billing and billing format. Specifically, the FCC asks whether it should adopt an "opt-in" to protect consumers from cramming, and if so, how it should be structured.

Staff seeks authority to submit comments to the FCC.  
[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583625](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583625)

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**Regular Agenda - Legislative and Other Matters**

**Item                      Gas Corporations: Fines and Penalties**  
**48**  
**(Rev.)**  
[11393]

**AB 478 (Hill)**

This bill would direct all or a portion of a fine or penalty levied against a gas corporation in three specified proceedings be held in a separate account by the gas corporation to offset investments for pipeline replacement to be undertaken within the service territory of the corporation that would otherwise be recovered from the corporation's ratepayers. (Legislative Subcommittee Recommendation: Support if amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583842](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583842)

06/20/2012 - This revision was not shown on the Agenda mailed to the public.

**Item                      California Global Warming Solutions Act of 2006:**  
**49                      Investor-Owned Utilities: School Energy Efficiency**  
[11370]

**AB 1186 (Skinner)**

This bill would prohibit the California Public Utilities Commission from approving an investor-owned utility's expenditure plan for greenhouse gas emissions allowances unless an unspecified percentage of those proceeds is made available for certain cost-effective school energy efficiency improvements for schools in the investor-owned utility's service area. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583890](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583890)



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Regular Agenda - Legislative and Other Matters (continued)**Item            Electricity: Rates****50**

[11375]

**AB 1755 (Perea)**

This bill would authorize the California Public Utilities Commission (CPUC) to approve a fixed per-customer electricity charge not based upon usage that applies to all customers of an electrical corporation, including California Alternatives Rates for Energy program participants, to recover fixed costs of providing service, if the CPUC finds that such a charge is just and reasonable and is necessary to provide rate relief to upper tier residential customers of the electrical corporation. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item            Renewable Energy Resources: Biomethane****51**

[11115]

**AB 1900 (Gatto)**

This bill would require the California Public Utilities Commission (CPUC) to develop reasonable, prudent, and minimally restrictive testing protocols for gas collected from a solid waste landfill that is to be injected into a common carrier pipeline to determine if the gas contains chemicals known to the state to cause cancer or reproductive toxicity and would require a gas corporation to accept biomethane into its pipeline, provided the biomethane meets the heating and purity requirements established by the CPUC. (Legislative Subcommittee Recommendation: Oppose unless amended).

Agenda 3291, Item 59 3/22/2012 (Staff);

Agenda 3292, Item 76 4/19/2012 (Staff);

Agenda 3293, Item 37 5/10/2012 (Staff);

Agenda 3294, Item 43 5/24/2012 (Staff);

Agenda 3295, Item 38 6/7/2012 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)**Item            Renewable Energy Resources****52**

[11300]

**AB 2196 (Chesbro)**

This bill would provide that if the Renewable Portfolio Standard program eligibility of a facility is based on the use of landfill gas, digester gas, or another renewable fuel delivered to the facility through a common carrier pipeline, the transaction, including the source of the fuel and delivery method, shall meet certain conditions. (Legislative Subcommittee Recommendation: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583892](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583892)

Agenda 3294, Item 47 5/24/2012 (Staff);

Agenda 3295, Item 40 6/7/2012 (Staff)

**Item            Telecommunications Policies****53****(Rev.)**

[11338]

**SB 379 (Fuller)**

This bill would clarify that the California High Cost Fund-A (CHCF-A) support can be used for investment in broadband-capable facilities and further directs the California Public Utilities Commission to create a streamlined Uniform Regulatory Framework option for small, rural Local Exchange Carriers that do not participate in the CHCF-A program. (Legislative Subcommittee Recommendation: None).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583889](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583889)

Agenda 3295, Item 43 6/7/2012 (Simon)

06/20/2012 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item**                    **Energy: Electrical Corporations: City of Davis PVUSA Solar**  
**54**                    **Facility: Community-Based Renewable Energy**  
[11303]                **Self-Generation Program**

**SB 843 (Wolk)**

This bill would authorize a retail customer of an electrical corporation to acquire an interest in a community renewable energy facility for the purpose of receiving a bill credit to offset all or a portion of the participant's electricity usage, consistent with specified requirements. (Legislative Subcommittee Recommendation: Oppose).

Agenda 3294, Item 50 5/24/2012 (Staff);

Agenda 3295, Item 44 6/7/2012 (Staff)

**Item**                    **Energy: Renewable Biomass and Biogas Projects**  
**55**  
[11394]

**SB 1122 (Rubio)**

This bill would require the California Public Utilities Commission to adopt a methodology, by June 1, 2014, that accounts for the benefits to ratepayers and the environment from reducing air pollution and global warming emissions by generating electricity from specified sources of biogas and biomass. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item**                    **California Alternate Rates for Energy Program**  
**56**  
[11276]

**SB 1207 (Fuller)**

This bill would modify the eligibility requirements to include proof of income to participate in the California Alternate Rates for Energy program. Legislative Subcommittee Recommendation: Support if amended).  
[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583893](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583893)

Agenda 3293, Item 52 5/10/2012 (Staff);

Agenda 3294, Item 56 5/24/2012 (Staff);

Agenda 3295, Item 48 6/7/2012 (Simon)

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## Regular Agenda - Commissioner Reports

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**Regular Agenda - Management Reports and Resolutions**

<b>Item</b>	<b>Report and Discussion by Consumer Protection and Safety</b>
<b>57</b>	<b>Division on Recent Safety Program Activities</b>
[11372]	

## Closed Session

*This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).*

### Closed Session - Applications for Rehearing

**Item                      Conference with Legal Counsel - Application for Rehearing**  
**58**  
 [11373]

Compilation of applications for rehearing recently filed with the Commission.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

**Item                      Conference with Legal Counsel - Application for Rehearing**  
**59**  
 [11127]

#### **A11-12-010**

Disposition of application for rehearing of Resolution SX-100 filed by Neighbors for Smart Rail. In Resolution SX-100, the Commission granted Exposition Metro Line Construction Authority authorization pursuant to Commission General Order 164-D to construct 16 new at-grade and 11 grade-separated highway-light rail transit crossings as part of the Exposition Corridor Light Rail Transit Project – Phase 2, located in the Cities of Los Angeles and Santa Monica.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

Agenda 3291, Item 74 3/22/2012;

Agenda 3293, Item 58 5/10/2012;

Agenda 3294, Item 60 5/24/2012

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Closed Session - Applications for Rehearing (continued)

**Item Conference with Legal Counsel - Application for Rehearing**

**60**

[11395]

**R03-10-003**

Disposition of Applications for Rehearing of Decision (D) 10-05-050 (or Decision) filed by Pacific Gas and Electric Company and the City and County of San Francisco (CCSF). The Decision resolved CCSF's petition to modify D05-12-041, which finalized procedures for implementing community choice aggregation (CCA) programs. The Decision modified D05-12-041: (1) to make clear that if utilities engage in untrue or misleading commercial speech concerning CCA service and the utility's competing service, they may be liable for penalties and subject to a temporary restraining order or preliminary injunction in a complaint before the Commission; and (2) to prohibit the utilities from offering alternative opt-out mechanisms from those identified in Resolution E-4250.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.*

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## **Closed Session - Initiation of Litigation - Non-Federal**

Consideration of possible Commission initiation of, or intervention in, litigation.

*Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.*



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## **Closed Session - Threatened Litigation - Non-Federal**

Significant exposure to litigation

*Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session*

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**Closed Session - Existing Litigation - Non-Federal**

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## **Closed Session - Threatened Litigation - Federal**

Significant exposure to litigation in federal agency or court proceedings.

*Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session*

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## **Closed Session - Initiation of Litigation - Federal**

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

*Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.*

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**Closed Session - Federal**

**Closed Session - FERC Docket No. EL00-95-000, et al.**

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

*Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.*

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## **Closed Session - Personnel Matters**

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

*Gov. Code § 11126(a), allows this item to be considered in Closed Session*